

REMARKS/ARGUMENTS

Claims 1-38 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,351,775 (Yu) in view of U.S. Patent No. 6,317,775 (Coile et al.). The Coile et al. patent is assigned to Cisco Technology, Inc., which is the same assignee as the subject patent application.

The American Inventors Protection Act (AIPA) amended 35 U.S.C. § 103(c) to exclude subject matter developed by another person which qualifies as prior art under Section 102(e), provided that this subject matter and the claimed invention were commonly owned at the time the claimed invention was made.

This amendment to Section 103(c) applies to patent applications filed on or after November 29, 1999. (American Inventors Protection Act of 1999, Pub. L. No. 106-113, Sec. 4807(b)). The subject application was filed after November 29, 1999 and the invention was commonly owned with the subject matter of the Coile et al. patent at the time the invention was made.

Accordingly, claims 1-38 are submitted as patentable.

Appl. No. 09/608,789
Amd. Dated October 13, 2004
Reply to Final Office Action of June 17, 2004

For the foregoing reasons, Applicants believe that all of the pending claims are in condition for allowance and should be passed to issue. If the Examiner feels that a telephone conference would in any way expedite prosecution of the application, please do not hesitate to call the undersigned at (408) 446-8695.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'C. Kaplan', with a long horizontal flourish extending to the right.

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